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OFFICE OF PETITIONS

In re Application of :
Seiji Nishioka et al :
Application No. 09/788,047 : DECISION GRANTING PETITION
Filed: February 16, 2001 : UNDER 37 CFR 1.137(b)
Attorney Docket No. 60586- :
300501(YOSHPO05) :

This is a decision on the renewed petition under 37 CFR 1.137(b),
filed December 3, 2004, to revive the above-identified
application.

The petition is **GRANTED**.

The petition satisfies the conditions for revival pursuant to the
provisions of 37 CFR 1.137(b) in that (1) the reply in the form
of an RCE and amendment; (2) the petition fee; and (3) the
required statement of unintentional delay have been received.
Accordingly, the reply to the final Office action of August 12,
2003, is accepted as having been unintentionally delayed.

Pursuant to 37 CFR 1.136, an extension of time must be filed
prior to the expiration of the maximum period obtainable for
reply to avoid abandonment. Accordingly, since the \$2,010
extension of time submitted with the petition on August 12, 2004
was subsequent to the maximum period obtainable for reply, this
fee is unnecessary and will be credited to petitioner's deposit
account.

Telephone inquiries concerning this decision should be directed
to the undersigned at (571) 272-3208.

The application file is being forwarded to Technology Center AU 1711.

A handwritten signature in cursive script that reads "Karen Creasy".

Karen Creasy
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy